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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT
(SAN FRANCISCO DIVISION)**

In re:

PG&E CORPORATION

Bankruptcy Case

No. 19-30088-DM

-and-

Chapter 11

(Lead Case)

PG&E GAS AND ELECTRIC COMPANY

(Jointly Administered) Case

Debtors

No. 19-30089-DM

vs.

Theresa Ann McDonald

Proof of Claim No. 54975

Creditor

Filed October 21, 2019

Camp Fire

Judge: Honorable Dennis Montali

Emergency Pleading In Response To
The Order Terminating Estimation
Proceedings By District Court Judge
James Donato, Docket No. 7858

Relief Requested: Require Debtors
And The TCC To Make All Of The
Data And Analyses, Including Data
On Prior Settlements, That Were
Developed And Available To The

Debtors And The TCC During The
Negotiation Of The Aggregate Fire
Victim Consideration Amount Of
\$13.5 Billion Available To This Court,
The Fire Victim Claimants, And The
Citizens Of California

I am a fire victim claimant and a creditor in the Chapter 11 case. I previously filed pleadings requesting that this Court wait until it received the Estimation Order from the U.S. District Court Judge James Donato before issuing an order in the Confirmation Hearing. As the Court noted in its *Recommendation For Withdrawal Of Reference Of Proceeding In Part (Bankruptcy Case 19-30088, Document 3648)* the estimation was needed so that this Court and the Fire Victim Claimants could be assured that \$13.5 billion was actually a fair and equitable settlement amount for the damages suffered in the fires that are being settled in this bankruptcy action.

1. Judge Donato closed the proceeding without issuing an Estimation Order.
2. The \$13.5 billion amount was reached through confidential bargaining.
3. This Court has a duty to be able to verify that the settlement amount is in fact fair and equitable to the Fire Victim Claimants.
4. Without the ability to look at the data that was considered during the negotiations I and other similarly-situated claimants will never be able to feel confident that we received an equitable settlement amount.
5. The citizens and legislators of California have a vested interest in the requested information as it might have a material impact on the further development or passage of Senate Bill 350.
6. The Debtors and TCC claim the data, analyses, and reports already exist.
7. The bargaining is over. There is no reason to continue to keep the data, analyses, and reports confidential except to conceal the factual relationship between the settlement amount offered and anticipated total damage claims.

1 For all of these reasons I respectfully request that the Court issue an order to require the
2 Debtors and the TCC to make public the information described in the following:

3 During the settlement negotiations the Parties had available to
4 them extensive regression analyses conducted by economic experts that
5 analyzed past settlement data and isolated past settlement amounts for
6 specific categories of damages that could then be applied to the wildfire
7 claims at issue. This data was supplemented by opinions from highly
8 qualified subject matter experts who considered, among other things, the
9 ways in which the 2017 and 2018 wildfires were both similar and different
10 from the circumstances underlying prior settlements. These experts also
11 offered expertise on the likely magnitude of damages for specific
12 categories of damages as well as issues related to the likelihood of liability
13 with regard to each wildfire. At the time of the settlement, these opinions
14 were well-developed and the Parties were just a week away from
15 exchanging expert reports in the estimation proceedings, **which were to**
16 **establish a basis for the Court to determine the potential damages and**
17 **likelihood of liability with respect to the wildfires in order to establish**
18 **the aggregate amount of Fire Victim Claims. As explained in more**
19 **detail below, this information provided the Parties with a substantial**
20 **basis for negotiating and arriving at the Aggregate Fire Victim**
21 **Consideration.** (Federal District Court for Northern California Civil Case
22 3:19-cv-05257-JD Document Number 378, page 5, lines 1-13) (Emphasis
23 mine)
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